

The following Circular has been recently sent to the Selectmen of every Town in Massachusetts. It is now respectfully forwarded to the Clergymen and Physicians throughout the State, as a means of making known to the people what legal provisions for the maintenance of Public Health already exist.

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GEORGE DERBY, M.D., Secretary State Board of Health.

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STATE BOARD OF HEALTH,

STATE HOUSE, BOSTON, October, 1869.

To the Boards of Health of the several Cities and Towns of Massachusetts.

The undersigned have recently been appointed by the Governor and Council, to constitute the "State Board of Health," under an act passed by the last Legislature.

In entering upon our duties, which are rather advisory than executive, we desire to establish such communication with the local Boards having this important subject in charge, that all may work together, for the common advantage of the people, for the prevention of disease, and for the prolongation of life.

We believe that all citizens have an inherent right to the enjoyment of pure and uncontaminated air, and water, and soil: that this right should be regarded as belonging to the whole community; and that no one should be allowed to trespass upon it by his carelessness, or his avarice, or even by his ignorance. This right is in a great measure recognized by the State, as appears by the General Statutes.

If these were strictly and impartially enforced, we should have a condition of public cleanliness, and of public health, which would make Massachusetts a model for all other communities. That this has not been done depends upon many causes, some of general, and others of purely local operation.

It has been doubted, whether the public mind is sufficiently aware of the dangerous elements around us; whether the connection between filth and disease is as yet proved to the public satisfaction; whether the people are convinced that undrained land is unwholesome to live upon.

All these doubts of the public intelligence have impeded the operation of our laws.

It is thought also that local and private interests have often been so strong as to paralyze the action of the Health authorities.

But we hope and believe that a better time is coming; and we confidently look to you to put in force the powers which the laws have placed in your hands.

Among these laws we would particularly call your attention to —

General Statutes, Chapter 26, in which are comprised stringent provisions relative to the abatement of nuisances, to vaccination, to contagion, and to offensive trades.

Also, to Chapter 49, Section 151, relative to the sale of milk produced from cows fed upon the refuse of breweries or distilleries, and to the sale of milk rendered unwholesome by any cause.

Also, to Chapter 166, in which the law is given relative to the sale of unwholesome provisions of all kinds, whether for meat or drink; the corruption of springs, wells, reservoirs, or aqueducts; the sale of dangerous drugs, and the adulteration of drugs of every sort.

It will also be seen, on reference to Chapter 211 of the Acts of the year 1866, that it is in the power of any person aggrieved by the neglect of the Board of Health of any city or town to abate a nuisance, to appeal to the County Commissioners, who can in that case exercise all the powers of the Board of Health.

Chapter 253 of the Acts of 1866 authorizes Boards of Health to seize and destroy the meat of any calf killed when less than four weeks old.

Chapter 271 of the Acts of 1866 authorizes Boards of Health to appoint agents, to act for them, under certain restrictions.

The Legislature of 1868 passed two acts of great importance to the public health, to which we would respectfully and earnestly ask your attention. The first, Chapter 281, 1868, applies only to the city of Boston, and relates to tenement and lodging houses, placing them under very strict regulations, for the public good.

The second, Chapter 160, is of general application. It provides that in any city or town, lands which are wet, rotten, or spongy, or covered with stagnant water, so as to be offensive, or injurious to health, shall be deemed a nuisance, to be abated by the Board of Health of such city or town. In case they refuse to act, appeal may be made, by persons aggrieved, to the Superior Court or any Justice thereof, who may appoint three Commissioners with powers equal to those possessed by Boards of Health.

We confidently look to you for the enforcement of these laws.

We believe that public opinion will fully support you in so doing.

We will give you all the help in our power.

There is a great work before us, which, if carried out in the letter and spirit of the laws referred to, we cannot doubt will justify the wisdom which framed them.

In making this our first communication to the Boards of Health of the various Cities and Towns of the Commonwealth, we sincerely hope that it may serve as the opening of friendly and helpful relations between us, and that it will lead to reforms, the effects of which will be evident in the improved condition of Public Health.

Communications addressed to our Secretary, DR. GEORGE DERBY, State House, Boston, will be at once acknowledged, and will be laid before the State Board of Health at their next meeting.

Very respectfully,

Your obedient Servants,

HENRY I. BOWDITCH,

GEORGE DERBY,

ROBERT T. DAVIS,

RICHARD FROTHINGHAM,

P. EMORY ALDRICH,

WARREN SAWYER,

WILLIAM C. CHAPIN,

*State Board
of
Health.*

